

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MELISSA ENG-HATCHER, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

SPRINT NEXTEL CORPORATION;
SPRINT/UNITED MANAGEMENT
COMPANY; and DOES 1 through 10,
inclusive,

Defendants.

Case NO. 07-CV-7350 (BSJ) (KNF)

NOTICE OF MOTION TO COMPEL

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law in support of motion to compel discovery from defendants, the accompanying Declaration of Gerald D. Wells, III in support of motion to compel, and the exhibits annexed thereto, and all of the prior papers and proceedings herein, Plaintiff Melissa Eng-Hatcher, by counsel, will move the Court, at a date and time to be determined by the Court, for an Order pursuant to Rule 37(a) of the Federal Rules of Civil Procedure compelling Defendants Sprint Nextel Corporation and Sprint/United Management Company (collectively, "Sprint" or "Defendants") to produce (as further described and defined in the accompanying memorandum of law) (i) pursuant to Fed. R. Civ. P. 30(b)(6), a witness qualified to testify regarding national complaints by Retail Sales Consultants for Sprint's failure to pay them overtime and/or failure to pay them for all hours worked complaints during the proposed FLSA collective class period; and (ii) documents relating to (a) national complaints by Retail Sales Consultants for Sprint's failure to pay them overtime and/or failure to pay them for all hours worked, (b) "hold notices," and (c) national ethics hotline complaints.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, shall be served in accordance with the Federal Rules of Civil Procedure, the Local Civil Rules of this Court, and the individual practices and procedures of the Honorable Kevin N. Fox.

DATED: Radnor, Pennsylvania
July 14, 2008

Respectfully submitted,

/s/Gerald D. Wells, III
Gerald D. Wells, III, Esq. (*pro hac vice*)
Robert J. Gray, Esq. (*pro hac vice*)
Nick S. Williams, Esq. (NW-5946)
Robert W. Biela, Esq. (*pro hac vice*)
Schiffrin Barroway Topaz & Kessler, LLP
280 King of Prussia Road
Radnor, PA 19087
610-667-7706

-and-

Robert J. Shapiro, Esq. (RS-3220)
Jonathan S. Shapiro, Esq. (JS-3068)
The Shapiro Firm, LLP
500 Fifth Avenue, 14th Floor
New York, NY 10110
212-391-6464

Counsel for Plaintiff